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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,796	04/16/2004	Robert C. Miller	SNDK.379US0	1469
36257	7590	04/03/2006	EXAMINER	
PARSONS HSUE & DE RUNTZ LLP 595 MARKET STREET SUITE 1900 SAN FRANCISCO, CA 94105			PHAN, RAYMOND NGAN	
			ART UNIT	PAPER NUMBER
			2111	
DATE MAILED: 04/03/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/826,796	Applicant(s) MILLER ET AL.	
	Examiner Raymond Phan	Art Unit 2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) 11-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04162004</u> . | 6) <input type="checkbox"/> Other: _____ |

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: election of restriction filed on March 3, 2006.
2. This application has been examined. Claims 1-24 are pending

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Election/Restrictions

Applicant's election without traverse of Group I, claims 1-10 and 22-24 in the reply filed on March 3, 2006 is acknowledged.

Claims 11-21 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on March 3, 2006.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United

States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

5. Claims 1-6, 8-10, 22-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by Le (US No. 6,890,188).

In regard to claim 1, Le discloses a memory card system 61, comprising: an enclosed electronic circuit card having first 65 and second 64 sets of electrical contacts with different contact patterns positioned apart from each other along a length of the card such that they mate with a respective one of first and second mating receptacles but not the other (see figure 7), at least the first set of contacts 65 being carried by an outside surface of the card (see figure 7), a re-programmable non-volatile memory 72 that is operably connected to transfer data between the memory and outside of the card with different signal protocols through either of the first or second sets of contacts without use of the other (see figure 7, col. 9, lines 10-23), and a cover 39 carried by the card and rotatable by hand between at least first and second positions about an axis extending across a width of the card, the first set of contacts being covered when the cover is in the first position and exposed for insertion into the first mating receptacle when the cover is in the second position (see figure 4B, col. 7, lines 1-23).

In regard to claim 2, Le discloses wherein the first set of contacts has a contact pattern and signal protocol therethrough that follows a USB standard (see figure 7, col. 8, lines 53-60).

In regard to claim 3, Le discloses wherein the second set of contacts has a contact pattern and signal protocol therethrough that follows a memory card standard (see figure 7, col. 8, lines 57-61).

In regard to claim 4, Le discloses wherein the memory card standard is a SD card standard (see col. 5, lines 5-14).

In regard to claim 5, Le discloses wherein the external shape and dimensions of the circuit card when the cover is in its first position also follows the SD memory card standard (see col. 5, lines 5-14).

In regard to claim 6, Le discloses wherein the second set of contacts is also carried by an outside surface of the card (see figure 7).

In regard to claim 8, Le discloses wherein the cover is rotatable by one-hundred eighty degrees between the first and second positions (see figure 4b).

In regard to claim 9, Le discloses wherein the axis of rotation is positioned between the first and second sets of contacts (see figure 4b).

In regard to claim 10, Le discloses wherein the axis of rotation moves with respect to the card as the cover is rotated between the first and second positions (see figure 4b).

In regard to claim 22, Le discloses a method of transferring data between a first host having a first receptacle for receiving and connecting with a first set of circuit card contacts 65 according to a first circuit card 76 published standard and a second host having a second receptacle for receiving and connecting with a second set of circuit contacts 64 according to a second circuit card published standard 74 (see figure 7), wherein the first and second sets of contacts are physically incompatible with each other and the formats of at least some of the signals communicated therethrough are also incompatible with each other (see figure 7, col. 8, lines 53-61), comprising: providing a memory circuit card containing re-programmable non-volatile memory 72 that is accessible for transfer of data therewith through either of the first and second sets of circuit card contacts externally positioned thereon at spaced apart locations of a surface along a length of the card (see figure 7) and with a cover 39 positioned over the first set of

memory circuit card contacts when closed but rotatable about an axis extending across a width of the card (see figure 4b), rotating the cover away from the first set of circuit card contacts to expose them, thereafter inserting the first set of circuit card contacts into the first receptacle of the first host, thereafter transferring data from the first host into the memory of the memory circuit card through the first set of circuit card contacts, thereafter removing the first set of circuit card contacts from the first host, thereafter rotating the cover back into position covering the first set of circuit card contacts, thereafter inserting the second set of circuit card contacts into the second receptacle of the second host, and thereafter transferring the data from the memory of the memory circuit card into the second host through the second set of circuit card contacts (see col. 9, lines 38-65).

In regard to claim 23, Le discloses wherein the second set of contacts of the memory card being provided conforms to the SD memory card standard (see col. 5, lines 5-14) and the memory card has a shape when the cover is closed that is in accordance with the SD memory card standard (see col. 5, lines 5-14).

In regard to claim 24, Le discloses wherein the first set of contacts of the memory card being provided conform to the USB standard (see col. 8, lines 53-60).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Le.

In regard to claim 7, even though Le does not disclose wherein the cover is rotatably connected with the card through a pair of double-axis hinges, however one skilled in the art would have understood that they can choose have single or double-axis hinges to secure the cover to the memory card.

Conclusion

8. All claims are rejected.

9. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

Le (US No. 6,908,038) discloses a multi-connector memory card with retractable sheath to protect the connectors.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (571) 272-3630. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079 or via e-mail addressed to john.cottingham@uspto.gov. The fax phone number for this Group is (571) 273-8300.


Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see [hop://pair-direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 central telephone number is (571) 272-2100.

Raymond Phan
March 22, 2006



JOHN R. COTTINGHAM
PRIMARY EXAMINER